

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

DEC 21 2018

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE MATTER OF THE SEARCH OF:)
)
INFORMATION ASSOCIATED WITH)
DISCORD USERNAME)
MadDimension#1647, USER ID)
310071195057782788,)
THAT IS STORED AT PREMISES)
CONTROLLED BY DISCORD, INC.,)
INCLUDING A SNAPSHOT MADE BY)
DISCORD OF ITS SERVERS ON AUGUST)
14, 2017.)

Case No. 3:18mj00040

FILED UNDER SEAL

**AFFIDAVIT IN SUPPORT OF AN APPLICATION
FOR A WARRANT TO SEARCH AND SEIZE**

I, W. Wade Douthit being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Special Agent of the United States Department of Justice, Federal Bureau of Investigation ("FBI") and have been so employed since June 1999. I am assigned to the Richmond Field Office, Charlottesville Resident Agency, located in Charlottesville, Virginia. My principal duties include the investigation of, among other matters, Riot Act violations within the United States.

2. I am a federal law enforcement officer under applicable provisions of the United States Code under Rule 41(a) of the Federal Rules of Criminal Procedure. I have received training in and have experience in the enforcement of the laws of the United States, including the preparation and presentation of search warrants, and in executing court-ordered search warrants.

3. I make this affidavit in support of an application by the United States of America for a warrant to search and seize evidence associated with Discord User ID: **310071195057782788** and/or Username **MadDimension#1647** as further described in Attachment A.

4. Based on the information below, I submit there is probable cause to believe the aforementioned Discord account will contain evidence, as more fully identified in Attachment B, of violations of federal law, including, but not limited to, Title 18, United States Code, Section 2101 (Riots).

5. Through training and experience, the Affiant has knowledge that domestic terrorists and persons affiliated with white supremacists group and/or conspirators will utilize cell phones, and other electronic devices, electronic mail ("e-mail"), and social media, and online mobile chat platforms to conduct their illegal activity and maintain contact with other confederates, conspirators and criminal associates involved with the planning, targeting, and execution of their political or social goals to include, but not limited to, espousing violence.

6. The Affiant bases this affidavit upon personal knowledge and observations made during the course of this investigation, information conveyed to me by other law enforcement officers assigned to this investigation, and upon my personal review of records, documents, and items lawfully obtained by third parties. This affidavit is not intended to include each and every fact known to me or the other investigating agencies, nor does it reflect all the evidence developed during the course of the investigation. Instead, the Affiant has set forth sufficient information to establish probable cause for the issuance of the requested search warrant. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part.

RELEVANT STATUTE

7. *Riots*, Title 18, United States Code, Section 2101(a), provides that "Whoever travels in interstate or foreign commerce or uses any facility of interstate or foreign commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, with intent – (1)

to incite a riot; or (2) to organize, promote, encourage, participate in, or carry on a riot; or (3) to commit any act of violence in furtherance of a riot; or (4) to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot; and who either during the course of any such travel or use or thereafter performs or attempts to perform any other overt act for any purpose specified in subparagraph (A), (B), (C), or (D) of this paragraph..." shall be guilty of a federal offense.

8. Further, Title 18, United States Code, Section 2102(a) states, "the term 'riot' means a public disturbance involving (1) an act of or acts of violence by one or more persons part of an assemblage of three or more persons, which act or acts shall constitute a clear and present danger of, or shall result in, damage or injury to the property of any other person or to the person of any other individual[.]"

9. Title 18, United States Code, Section 2102(b) states that "the term 'to incite to riot,' or 'to organize, promote, encourage, participate in, or carry on a riot,' includes, but is not limited to, urging or instigating other persons to riot, but shall not be deemed to mean the mere oral or written (1) advocacy of ideas or (2) expression of belief, not involving advocacy of any act or acts of violence or assertion of the rightness or, or the right to commit, any such act or acts."

JURISDICTION

10. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the United States . . . that – has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).

BACKGROUND

11. On August 12, 2017, a “Unite the Right” (UTR) rally was held at Emancipation Park in Charlottesville, Virginia. The stated purpose of the planned rally was to protest the removal of the Robert E. Lee and Thomas “Stonewall” Jackson statues in Charlottesville, Virginia. Several groups espousing right-wing nationalist and/or white supremacist views attended the rally in support.

12. In addition, several thousand counter-protestors attended the rally to oppose the rally and its supporters. Throughout the day, several instances of violence occurred between protestors and counter-protestors. At approximately noon, the rally was declared an unlawful assembly by the Charlottesville Police Department (“CPD”) and both protestors and counter-protestors dispersed to separate locations.

PROBABLE CAUSE
TO BELIEVE EVIDENCE OF A CRIME EXISTS AT SUBJECT PREMISES

13. The FBI is conducting an investigation into possible violations of federal criminal law committed by JASON KESSLER (KESSLER) and other individuals associated with white supremacists groups, who are alleged to have organized the rally. The investigation was initiated following receipt of information indicating that KESSLER and others, while planning the rally, had been aware of the potential for violence and may have encouraged or incited individuals to violence.

14. During the planning stage leading up to the “Unite the Right Rally” on August 12, 2017, KESSLER and others who played a leadership role in planning and organizing the event used and encouraged others to use the social media application Discord to communicate details regarding logistics, legal issues, travel arrangements and coordination among the different groups who were planning to attend the rally.

KESSLER IS @MADDIMENSION ON DISCORD

15. On November 19, 2018, Affiant reviewed the Jasonkessler.us website on the internet. The website bears the title “Protect the West!” On the opening page there is a post dated November 8, 2018, which includes a copy of a lawsuit filed in the United States District Court for the Western District of Virginia, in Charlottesville (“The Lawsuit”) on November 7, 2018, by JASON KESSLER, IDENTITY EVROPA, NATIONAL SOCIALIST MOVEMENT, and the TRADITIONALIST WORKER’S PARTY, as plaintiffs, against the City of Charlottesville, and others, over alleged Civil Rights violations at the 2017 Unite the Right Rally. The same webpage has a section titled “Tweets by @TheMadDimension.”

16. On November 19, 2018 the “Tweets by @TheMadDimension.” section included a Tweet from Jason Kessler @TheMadDimension which referenced The Lawsuit filed by his attorneys on November 7, 2018:

Tweets by @TheMadDimension

 Jason Kessler
@TheMadDimension

Yesterday my attorneys filed a civil rights lawsuit against the City of Charlottesville & State of Virginia over civil rights abuse at the 2017 Unite the Right event.

To read visit my website JasonKessler.us. Click the donate page link to help fund this historic effort.

17. Additionally on the same page of the website there is a screenshot from a Youtube

video titled “Why I Needed to Do Unite the Right 2”¹ which clearly depicts KESSLER (seen below in center of photo with striped tie):



18. On the JasonKessler.us website there is a link to a Contact page, which lists links to a Twitter account (www.twitter.com/themaddimension), a Gab² account (www.gab.ai/themaddimension), and lists the email address: TheMadDimension@gmail.com.

19. On September 5, 2017, the website Unicorn Riot, which describes itself as a “decentralized, educational 501(c)(3) non-profit media organization of artists and journalists” posted an article entitled “Charlottesville Violence Planned Over Discord Servers: Unicorn Riot Reports.” The article reports that Unicorn Riot was contacted by an anonymous source who provided them with logs from Discord³ servers connected to the Unite the Right rally of 2017. The article includes a link to a page called the “Unicorn Riot Discord Leaks” archive. This archive (referred herein as Discord Leaks) provides access to complete text conversations on servers and

¹ Unite the Right 2 (UTR 2) is a reference to a Rally organized by KESSLER on the anniversary of the original rally. UTR 2 occurred on August 12, 2018 in Washington, District of Columbia, after KESSLER was denied a permit to hold the rally in Charlottesville, Virginia.

² Gab is a social media website and application similar to Twitter.

³ Discord is a social media platform which was designed to provide voice and text chat and other communications capabilities for use while playing online video games.

channels which were set up by organizers of the UTR in Charlottesville in 2017. The server for the rally was called Charlottesville 2.0 and there were numerous channels set up in this server. References to the Discord Leaks referenced below are in the Charlottesville 2.0 server. While an exhaustive review of all of the conversations has not been completed, it is possible to search the conversations by text strings and usernames on Unicorn Riot's online database, which is open to the public.

20. In the Discord Leaks, the name of the user is hyperlinked to pages which list all of the posts by that user, referenced by the Discord user number, and presents the Discord ID for that user at the top of each page. When the link to MadDimension is followed, the user ID is 1647 and the Discord ID is 310071195057782788. Discord uses a naming convention which includes the user name and user ID to identify an account, in this case MadDimension#1647, and the Discord ID is a unique number assigned to a user which will not change, even if the user changes their username.

21. In the #beltway_bigots channel on the Discord Leaks @MadDimension posts a comment directed to @ManWithTheHand indicating that @MadDimension had set up the channel. In response @ManWithTheHand posts “Thanks Jason!”:

MadDimension 2017-06-07 22:44:51 ⚡
@ManWithTheHand Here is y'all's channel I'll work on turning into a group later

ManWithTheHand 2017-06-07 22:45:29 ⚡
Thanks Jason!

22. On June 29, 2017, in the #general_1 channel on the Discord Leaks @MadDimension posted the following: “@everyone Would anyone like to volunteer to burn a Pride flag at the event?” Following this posting there was a long and contentious argument about the meaning of the Pride flag and the value to the organization of doing the burning. At one point

in the conversation, Discord user kristall.night posts the following: “Anyway. Kessler, I think the flag burning is a brilliant idea...”

kristall.night 2017-06-30 18:02:34 ⚡

Anyway. Kessler, I think the flag burning is a brilliant idea and I think it would get a lot of positive attention from the normie right. If it's not done publicly at this event, another event should be put together for it. Have you looked through the comments on that bill nye trans song, or the YouTube fag promo? People are begging for someone to stand up and save them from this degeneracy

KESSLER IS A LEADER/ORGANIZER OF UNITE THE RIGHT 2017

23. KESSLER applied for the permit for the UTR Rally in 2017 and has claimed to be the organizer of the rally in repeated public appearances before and after the Rally. As an example, on August 7, 2017, The Daily Progress, a local Charlottesville, Virginia newspaper, published an article, entitled “Charlottesville says permit for Unite the Right will be approved only if rally is moved to McIntire Park.” KESSLER is identified as the organizer of the Rally and provided the following quote which was published in the article: “The whole thing is in support of the Lee monument. The fact that they’d try and move it away from the statue is, in itself, a violation of our free speech rights.”

24. On August 10, 2017, the American Civil Liberties Union of Virginia and the Rutherford Institute filed a lawsuit in the United States District Court for the Western District of Virginia on behalf of KESSLER claiming his rights under the First and Fourteenth Amendments were being denied by the city’s refusal to allow him and his supporters to access Emancipation Park on August 12, 2017. KESSLER is the only person listed as a Plaintiff on that lawsuit.

25. On June 6, 2017, in the #general_1 channel on the Discord Leaks, KESSLER posted updates about who the speakers would be for the upcoming UTR Rally and indicated that

the organizers would not compromise on principles.^{4,5,6}:

MadDimension 2017-06-06 03:11:30 ⚡

We're experiencing technical difficulties with Gavin and Stickman. They want all pro-white references scrubbed, to change the title from Unite the Right to a more generic "free speech rally" and put a bunch of nonwhite speakers up as shields.

MadDimension 2017-06-06 03:11:38 ⚡

Obviously that's not going to work

MadDimension 2017-06-06 03:12:19 ⚡

Baked Alaska is onboard no matter what and says he can bring the Proud Boys. I think we can get Stickman off the fence but we're not going to compromise our integrity

crockett 2017-06-06 03:12:33 ⚡

Thanks but no thanks. I didn't think that would work out.

MadDimension 2017-06-06 03:13:03 ⚡

We are still going to bring a large coalition. I just think the Gavin thing might be a bridge too far

26. After a few minutes of conversation during which users expressed their opinions for or against specific speakers, KESSLER posted that he was interested in getting 800-1000 people to be openly pro-white and followed up with indicating that he would not “put any celebrity before the average men and women of this movement” further indicating that “every leader worht(sic) their salt should feel the same way”, implying that he considers himself a leader of the “movement”:

MadDimension 2017-06-06 03:20:19 ⚡

For the sake of this rally getting 800-1000 people to be openly pro-white is good enough for me

MadDimension 2017-06-06 03:22:02 ⚡

I'll be damned if I'm going to put any celebrity before the average men and women of this movement though and every leader worht their salt should feel the same way

27. After further discussion about being inclusive to attempt to get more moderate

⁴ Gavin refers to Gavin McInnes, the founder of the Proud Boys, one of the white nationalist groups KESSLER was courting to attend the UTR Rally.

⁵ Stickman refers to Kyle Chapman, who rose to prominence in social media after he was videotaped hitting several people over the head with a wooden cane at violent protests in Berkeley, California in March 2017. After the video became popular he received the nickname “Based Stickman”.

⁶ Baked Alaska is a name used online by Tim Gonet, who is known to have posted content which is considered to be anti-semitic and pro-Nazi on social media and was scheduled to be a speaker at the UTR Rally in Charlottesville, Virginia on August 12, 2018.

young white men and women to accept the racist worldview of the rest of the group, KESSLER asserts the position that “We won’t be fucking⁷. Make no mistake. This is a pro-white event and folks are going to have to accept that”:

MadDimension 2017-06-06 03:27:38 ⚡
We won't be fucking. Make no mistake. This is a pro-white event and folks are going to have to accept that

28. On June 7, 2017, when responding to questions about who the speakers at the event would be, KESSLER posted the following in the #general_1 channel on Discord: “I don’t know that Stickman is coming. Enoch and I have been negotiating with him.” This indicates that KESSLER was involved with other leaders for the event in negotiating with potential speakers at the event.

MadDimension 2017-06-07 17:55:42 [Charlottesville 2.0 #general_1] ⚡
I don't know that Stickman is coming. Enoch and I have been negotiating with him

29. On June 30, 2017, during a conversation about burning a “Pride” flag at the rally, several people in the #general_1 conversation began infighting. There was some discussion of banning certain people from the conversation. KESSLER asserts authority, calling on them to stop fighting, indicating that no one is being banned, but that he was deleting posts where “shit is talked about anyone in this server”:

MadDimension 2017-06-30 17:58:06 [Charlottesville 2.0 #general_1] ⚡
Please stop the fighting. I'm trying to work out security plans for our speakers and it's embarrassing to be bringing professionals in here while people are bickering

MadDimension 2017-06-30 17:59:13 [Charlottesville 2.0 #general_1] ⚡
No one is being banned because I believe in free expression. Please knock off this shit

MadDimension 2017-06-30 17:59:53 [Charlottesville 2.0 #general_1] ⚡
She wants you guys banned too and I told her no. Neither Vanguard or Erika is going to be banned

MadDimension 2017-06-30 18:00:28 [Charlottesville 2.0 #general_1] ⚡
I'm deleting posts where shit is talked about anyone in this server

⁷ “Cucking” is a term used in white supremacist dialogue, derived from the word “cuckold,” to indicate that someone is softening their position on racism.

KESSLER EXPECTED VIOLENCE AT THE RALLY

30. As the date of the Rally approached, it was clear that KESSLER and others expected violence to occur. Your Affiant has reviewed hundreds of posts in the Discord Leaks on Unicorn riot, but certainly not all of them. Some examples of those posts are set forth below.

31. On June 5, 2017, KESSLER, using his Twitter account, @TheMadDimension, posted “In response to crackdowns on civil liberties I’m holding a #UnitetheRight free speech event in Charlottesville’s Lee Park⁸ August 12th @ 12 pm. In response to this, Twitter user Mike, @BeckerTheWrecka posted “I’ll be sure to be there to completely fuck your entire world up, you racist piece of shit”:

⁸ On June 5, 2017, the Charlottesville City Council renamed Lee Park to Emancipation Park, and again on July 16, 2018, the City Council renamed the park to Market Street Park.

The screenshot shows a Twitter thread. Jason Kessler (@TheMadDimension) posted a tweet at 7:59 AM - 6 Jun 2017, responding to a crackdown on civil liberties by holding a #UnitetheRight free speech event in Charlottesville's Lee Park on August 12th @ 12pm. Mike BeckerTheWrecka (@BeckerTheWrecka) replied at 6 Jun 2017, saying "Lol he retweeted it. He's one of those". Derek Gooden (@gooden_derek) responded at 6 Jun 2017, stating "You will show up and unless you have at least 3 to 1 in numbers you will run like the rest of the left."

Jason Kessler @TheMadDimension
In response to crackdowns on civil liberties I'm holding a #UnitetheRight free speech event in Charlottesville's Lee Park August 12th @ 12pm

7:59 AM - 6 Jun 2017

31 Retweets 3 Likes

Mike @BeckerTheWrecka · 6 Jun 2017
Replying to @BeckerTheWrecka
Lol he retweeted it. He's one of those

Derek Gooden @gooden_derek · 6 Jun 2017
You will show up and unless you have at least 3 to 1 in numbers you will run like the rest of the left.

32. On June 9, 2017, in the #general_1 channel on Discord, in a discussion of an upcoming Ku Klux Klan rally planned in Charlottesville, Virginia, there was a conversation about how the Civil Rights marches had reacted to being attacked. In which discussion KESSLER posted, “You have to bring enough numbers to defend yourselves,” “One of the main talking points for the media is to try and make us look weak. That’s why I loved Battle of Berkeley⁹ because it was a defensive action and a supreme display of domination,” and “That’s the only thing they can’t spin: large crowd size and assertive self-defense”:

⁹ “Battle of Berkeley” refers to a series of protests in the spring of 2017 in Berkeley, California, during which white supremacist organizations and antifascist organizations clashed in violent confrontations.

MadDimension 2017-06-09 01:48:50 ♂

And that the media would feel pity for you. The only thing you can do is earn their fear and respect

Goldstein Riots 2017-06-09 01:49:16 ♂

Watch the "civil rights" marches, when they got the beat down, a lot of the blacks kept some composure and could be portrayed as sympathetic. This guy just looks pathetic.

MadDimension 2017-06-09 01:49:20 ♂

You have to bring enough numbers to defend yourselves

Goldstein Riots 2017-06-09 01:50:15 ♂

They were trained by their commie handlers to react that way to maximum effect.

Goldstein Riots 2017-06-09 01:51:20 ♂

Either win the fight or look sympathetic. As our own people have been taught to think of us as pure evil, we need to win as we won't get sympathy.

MadDimension 2017-06-09 01:53:18 ♂

One of the main talking points for the media is to try and make us look weak. That's why I loved Battle of Berkeley because it was a defensive action and a supreme display of domination

MadDimension 2017-06-09 01:53:40 ♂

That's the only thing they can't spin: large crowd size and assertive self-defense

33. On June 19, 2017, in the #general_1 channel on Discord, KESSLER posted the following as part of a post about a potential "riot" in Charlottesville: "But if we are forced into a street brawl...fight them with honor, stay within reasonable bounds of the law and whoop that Commie, anti-white ass all over God's green Earth."

MadDimension 2017-06-19 01:32:19 [Charlottesville 2.0 #general_1] ♂

@Skull If a riot breaks out in Charlottesville it will not be a result of us breaking windows, damaging property or otherwise using Antifa tactics.

I also highly recommend using defensive tactics because the police are against us just like in Berkeley.

But if we are forced into a street brawl... fight them with honor, stay within reasonable bounds of the law and whoop that Commie, anti-white ass all over God's green Earth.

34. On June 29, 2017, in the #general_1 channel on Discord, during a conversation about various groups who should or should not be included in the united right they were trying to achieve, KESSLER posted that various groups who may not fully identify with the ideology but are willing to come and "protect" the speakers, they would be welcome:

MadDimension 2017-06-29 16:56:14 [Charlottesville 2.0 #general_1] ♂

Cernovich and Posobiec wouldn't be welcomed at this event if they tried to come. They're incapable. If Proud Boys, Oath Keepers, 3%ers, or Confederate Heritage members want to come and protect the speakers and attendees in good faith then we won't reject them

35. On July 8, 2017, the Ku Klux Klan held a rally in Charlottesville, Virginia. In

response there was a massive counter-protest. During the rally, a Periscope¹⁰ user named Catholic Nationalist, using the screen name @AltRightCat, live-streamed the rally. During the video, the counter-protesters surrounded a few individuals and were shouting “racists go home”. While the stream was going on, KESSLER posted a link to the stream in the #general_1 channel on Discord with the comment: “@everyone RT¹¹ this stream! Our guy is getting swarmed by leftists!”. KESSLER followed up with another post: “EAST COAST BERKELY” and “Assemble every motherfucker you can”. The discussion then moves to how the rally was a failure because there were only ten to fifteen Ku Klux Klan members present and they did not bring loudspeakers, among other reasons. Then KESSLER takes the opportunity to promote unity to increase their numbers for UTR with, “This is why I tell people not to pick fights with pussy alt-lighters¹². Get ready for a real fight”. (Note: some sections of this conversation were omitted because they were not pertinent.)

MadDimension 2017-07-08 19:02:06 ⚡
@everyone RT this stream! Our guy is getting swarmed by leftists!
<https://www.pscp.tv/w/1kvJpQyqgpVxE>

Charlemagne MD 2017-07-08 19:18:35 ⚡
@MadDimension what are the odds of Tim pool, Lauren and Luke coming. It's shaping up to be a berkeley of the east

MadDimension 2017-07-08 19:34:08 ⚡
EAST COAST BERKELEY

¹⁰ Periscope is a social media service which allow users to live stream video from mobile devices.

¹¹ RT is internet slang for real time.

¹² Alt-light is a term used by Alt Right for individuals or groups who are right wing but not white supremacists.

MadDimension 2017-07-08 19:34:21 ⚡

Assemble every motherfucker you can

Aaron - VA 2017-07-08 19:38:22 ⚡

Yeah that won't end well.

Aaron - VA 2017-07-08 19:38:46 ⚡

Open carry state. Antifa will be bringing guns. Advocating a Berkeley isn't the best bet

Stormer DC 2017-07-08 19:45:37 ⚡

The only remedy is if we're more heavily armed ourselves

Erika 2017-07-08 19:51:41 ⚡

https://www.pscp.tv/w/bC_dhjFEWkVvZWxlc1yS2F8MWpNSmdva1pqcmVKTkoBcUZJm8GowAsQGr2RtGI4Vr7fKVpl9mJAEBOLTBVk

Erika 2017-07-08 19:52:41 ⚡

^ this is why we need to bring everyone in August.

I'm Not Sam Hyde 2017-07-08 19:57:56 ⚡

They're swarming around what, 3 people?

Erika 2017-07-08 20:00:55 ⚡

I watched the KKK walk in. It's maybe 15-20 hillbillies.

MadDimension 2017-07-08 20:01:38 ⚡

The KKK brought ZERO sound amplification. Retarded.

<https://www.pscp.tv/w/1kvJpQydYgDxE>

I'm Not Sam Hyde 2017-07-08 20:01:56 ⚡

This whole thing reeks

I'm Not Sam Hyde 2017-07-08 20:02:04 ⚡

Nice try, feds

I'm Not Sam Hyde 2017-07-08 20:05:45 ⚡

Now watch the left take this a massive victory, fill themselves with false bravado

MadDimension 2017-07-08 20:09:50 ⚡

This is why I tell people not to pick fights with pussy alt-lighters. Get ready for a real fight

36. In response to the conversation about increasing the numbers at UTR by including the Alt-light groups on July 8, 2017, @Americana – MD posted a message to KESSLER, “@MadDimension I don’t need some alt lite faggots to protect me”, followed by “That’s why I legally own fire arms.” To this KESSLER replies, “No one is going to be shooting anyone. You need enough people to win a street fight should it come to that”:

Americana - MD 2017-07-08 20:51:42 ⚡

@MadDimension I don't need some alt lite faggots to protect me

Americana - MD 2017-07-08 20:51:48 ⚡

That's why I legally own fire arms ==

MadDimension 2017-07-08 20:51:52 ⚡

The infighting has to stop now

johnhimself 2017-07-08 20:52:02 ⚡

^^^^^

MadDimension 2017-07-08 20:52:14 ⚡

No one is going to be shooting anyone. You need enough people to win a street fight should it come to that

37. On July 13, 2017, in the #general_1 channel on Discord KESSLER posed the following question: “Should we set up a preemptive legal defense fund for people on our side to use after August 12th?”

MadDimension 2017-07-13 18:18:13 [Charlottesville 2.0 #general_1] ⚡

Should we set up a preemptive legal defense fund for people on our side to use after August 12th?

38. On July 16, 2017, in the #antifa_watch channel on Discord, KESSLER posted “@everyone We need eyes on this woman wherever she is on social media. She has supposedly been put in charge of Antifa and has called for violence on multiple occasions”.¹³

MadDimension 2017-07-16 15:21:39 [Charlottesville 2.0 #antifa_watch] ⚡

@everyone We needs eyes on this woman wherever she is on social media. She has supposedly been put in charge of Antifa and has called for violence on multiple occasions.

<https://twitter.com/REDACTED>

Also on July 16, 2017, KESSLER posted in the #general_1 channel, “@everyone I need some people in the DC/ Northern Virginia area to sit in on this Antifa meeting. Film it if possible”

MadDimension 2017-07-16 15:27:50 [Charlottesville 2.0 #general_1] ⚡

@everyone I need some people in the DC/ Northern Virginia area to sit in on this Antifa meeting. Film it if possible

<https://www.facebook.com/events/1318520748245350/>

¹³ The link indicated in the screenshot was redacted by Unicorn Riot before posting it on their website. The Affiant is not aware of the content of this link.

KESSLER, then posted in the #beltway_bigots channel, “@everyone Do y'all have a few people you could send to sit in on this Antifa meeting? Recording it would be awesome since they will no doubt talk about violence.”

MadDimension 2017-07-16 15:29:55 [Charlottesville 2.0 #beltway_bigots] ⚡

@everyone Do y'all have a few people you could send to sit in on this Antifa meeting? Recording it would be awesome since they will no doubt talk about violence.

<https://www.facebook.com/events/1318520748245350/>

39. On July 16, 2017, in the #demonstration_tactics channel on Discord, KESSLER posted a general call for recruitment to join a shield wall to protect the rally as part of an “organized defense against the Antifa that are sure to come”.¹⁴

MadDimension 2017-07-16 17:37:22 [Charlottesville 2.0 #demonstration_tactics] ⚡

@everyone This is a general call for people to help with general event security. For the rally in Lee Park, we will be forming a large shield wall around the speakers. The DRW right now are forming the bulk of the wall. The more people we get however, the larger and more effective we can become. If anybody has any interest in being part of a highly organized defense against the Antifa that are sure to come, please message @Heinz - MI, or post in <#321395356216590347>. The attached document has all of the information needed to become familiar with what we will be doing.



40. On August 3, 2017, in the #general_1 channel on Discord, KESSLER was participating in a conversation about the potentiality that the Charlottesville City Council would cancel the permit for the event. In the conversation, Kessler posted, “If they cancel it we’re going full Berkeley¹⁵ situation. I don’t mean that as a threat. I mean the situation will go out of control”, “There’s nothing I or anyone else can do to stop that”, and “We’re going to march to the damn statue”:

¹⁴ The link to the document described in the post was broken on the Unicorn Riot site. It is unknown to the affiant at this time to what this refers.

¹⁵ Berkeley is a reference to rallies and speeches during the Spring of 2017 in Berkeley, California during which protestors and Antifa counter-protestors engaged in violent confrontations.

MadDimension 2017-08-03 01:16:29 [Charlottesville 2.0 #general_1] ⚡
If they cancel it we're going full Berkeley situation. I don't mean that as a threat. I mean the situation will go out of control

MadDimension 2017-08-03 01:16:39 [Charlottesville 2.0 #general_1] ⚡
There's nothing I or anyone else can do to stop that

MadDimension 2017-08-03 01:16:56 [Charlottesville 2.0 #general_1] ⚡
We're going to march to the damn statue

KESSLER WANTED PARTICIPANTS TO HAVE TO DEFEND THEMSELVES

41. As KESSLER was planning for the event there were several discussions in the DISCORD LEAKS about the UTR protestors defending themselves against Antifa and other expected counter-protestors. To be certain many of these conversations centered on the Rally intending to be non-violent and an opportunity to express free speech. However, there were numerous example which indicated that KESSLER intended or hoped that violence would occur.

42. On June 7, 2017 in the #announcements channel on Discord, KESSLER posted the following:

@everyone

REGARDING SELF-DEFENSE:

STICKS AND SHIELDS: I recommend you bring picket sign posts, shields and other self-defense implements which can be turned from a free speech tool to a self-defense weapon should things turn ugly.

OPEN CARRY: Please do not open carry. We want to avoid that optic for both the media and Antifa. **We ultimately don't want to scare them from laying hands on us if they can't stand our peaceful demonstration.**

CONCEALED CARRY: If you have a legal permit to concealed carry this should be fine. Check the local laws but Virginia is very friendly on this issue.

MadDimension 2017-06-07 14:40:38 [Charlottesville 2.0 #announcements] ⚡

@everyone

REGARDING SELF-DEFENSE:

STICKS AND SHIELDS: I recommend you bring picket sign posts , shields and other self-defense implements which can be turned from a free speech tool to a self-defense weapon should things turn ugly.

OPEN CARRY: Please do not open carry. We want to avoid that optic for both the media and Antifa. We ultimately don't want to scare them from laying hands on us if they can't stand our peaceful demonstration.

CONCEALED CARRY: If you have a legal permit to concealed carry this should be fine. Check the local laws but Virginia is very friendly on this issue.

43. On June 9, 2017 in the #general_1 channel on Discord, KESSLER again reiterates that open carry guns would deter an opportunity at violence, “I 100% agree with @SaintCharles. If you want a chance to crack some Antifa skulls in self-defense don’t open carry. You will scare the shit out of them and they’ll just stand off to the side”

MadDimension 2017-06-09 00:55:29 [Charlottesville 2.0 #general_1] ⚡

I 100% agree with @SaintCharles . If you want a chance to crack some Antifa skulls in self-defense don’t open carry. You will scare the shit out of them and they’ll just stand off to the side

44. On June 10, 2017 in the #general_1 channel on Discord, KESSLER posted “#NeverForget” followed by a link to a video on the Youtube website. The video was titled “The Battle of Berkeley Highlights” and depicts violence at rallies held in the Spring of 2017 in Berkeley California. The video starts in Martin Luther King Park in Berkeley, California. While there is some violence in the park, the protestors started marching down the street and the violence escalated. At approximately the 14:30 mark in the video a leader from the alt-right side of the conflict shouted “Charge!” at which point the group ran down the street chasing down counter-protestors and beating the ones they are able to catch.

MadDimension 2017-06-10 01:00:20 [Charlottesville 2.0 #general_1] ⚡

#NeverForget

<https://www.youtube.com/watch?v=T-4QkuoD79I>

45. Also on June 10, 2017, in the #general_1 channel on Discord, KESSLER posted “If you watch the Battle of Berkeley footage the best stuff is happening in the streets. Maybe we

need to organize a street march after the rally”:

MadDimension 2017-06-10 03:22:23 [Charlottesville 2.0 #general_1] ⚡

If you watch the Battle of Berkeley footage the best stuff is happening in the streets. Maybe we need to organize a street march after the rally

46. On June 16, 2017, in the #beltway_bigots channel on Discord, KESSLER posted “What is the name of the DC Antifa group?”, followed by “Feel free to start taunting them about our rally”:

MadDimension 2017-06-16 03:53:07 ⚡

What is the name of the DC Antifa group?

MadDimension 2017-06-16 03:53:36 ⚡

Feel free to start taunting them about our rally

47. On June 19, 2017, in the #general_1 channel on Discord, KESSLER posted “If a riot breaks out in Charlottesville it will not be a result of us breaking windows, damaging property or otherwise using Antifa tactics. I also highly recommend using defensive tactics because the police are against us just like in Berkeley. But if we are forced into a street brawl... fight them with honor, stay within reasonable bounds of the law and Whoop that Commie, anti-white ass all over God’s green Earth.”

MadDimension 2017-06-19 01:32:19 [Charlottesville 2.0 #general_1] ⚡

@Skull If a riot breaks out in Charlottesville it will not be a result of us breaking windows, damaging property or otherwise using Antifa tactics.

I also highly recommend using defensive tactics because the police are against us just like in Berkeley.

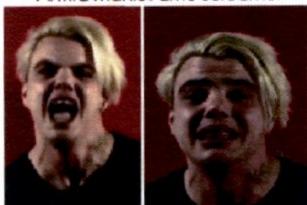
But if we are forced into a street brawl... fight them with honor, stay within reasonable bounds of the law and whoop that Commie, anti-white ass all over God’s green Earth.

48. On July 14, 2017, in the #general_1 channel on Discord, KESSLER posted a photograph of an individual which included an address in New York, describing the individual as an “Antifa manlet Emo Screamer” and asked if anyone from New York could invite him to the rally. This sparked a conversation about attempts to goad Antifa into attending the rally, in which KESSLER specifically states, “I want to talk shit but as the event organizer I can only do so much. People need to bullycide them into ‘confronting the alt-right’ in Charlottesville”:

MadDimension 2017-07-14 02:06:44 ♂

Anyone from New York that can invite this guy to the rally?

Andrew Dijorio AKA Der Untermensch
From "Stray From the Path"
Antifa manlet Emo Screamer



441 E Olive St Long Beach NY
11561-3606

Nicklis - OH 2017-07-14 02:24:48 ♂

Meme antifa to get them to play the event

MadDimension 2017-07-14 02:26:05 ♂

I want to talk shit but as the event organizer I can only do so much. People need to bullycide them into "confronting the alt-right" in Charlottesville

junker 2017-07-14 02:37:53 ♂

We could probably get some volunteers for a hate exchange session with these artist

MadDimension 2017-07-14 02:39:41 ♂

@everyone Please help meme these idiots into coming to Charlottesville

<https://twitter.com/TheMadDimension/status/885688126932480000>

During the conversation KESSLER posted a link to a Tweet that Jason Kessler (@TheMadDimension) sent to @strayfromdapath, which included a photograph of the same individual and stated, “Hey emo clowns @strayfromdapath we’re easy to find. Come talk things over with us August 12th in Charlottesville #UniteTheRight”.

Jason Kessler
@TheMadDimension

Follow

Hey emo clowns @strayfromdapath we're easy to find. Come talk things over with us August 12th in Charlottesville #UniteTheRight

7:31 PM - 13 Jul 2017

The screenshot in the Tweet was from a music video on Youtube from a band called Stray From the Path. The song is called “Goodnight Alt-right” and depicts an individual wearing a red cap coming home, going in to his apartment where there are portraits of Adolph Hitler and Richard Spencer¹⁶ prominently displayed. The individual then changes clothes and is headed back out when he is confronted by masked individuals with a shotgun. They punch him and drag him to a basement. In the basement, the individual is tied to a chair, beaten, and then forcibly tattooed with a swastika on his forehead.

ORGANIZERS PLANNED IN SECRET AND HIDE INFORMATION FROM THE PUBLIC

49. The organizers of the Rally encouraged “security” when deciding who to add to the conversations, many of these conversations ended up in the leaks to Unicorn Riot. However, there are indications that there were servers and conversations on Discord and elsewhere which were not part of the leaks and not available to the public.

50. On June 29, 2017, in the #general_1 channel on Discord, during a discussion about burning a Gay Pride flag at the event, KESSLER posted the following, “I just got off the phone with Eli¹⁷ and we have A LOT of cool stuff planned for this event so burning a Pride flag may get lost in all the other things”.

MadDimension 2017-06-29 22:16:42 [Charlottesville 2.0 #general_1] ↗

I just got off the phone with Eli and we have A LOT of cool stuff planned for this event so burning a Pride flag may get lost in all the other things

51. On July 5, 2017, in the #friday-night channel on Discord, KESSLER posted, “I think what we’ll do is meet up in Darden-Towe Park like last time and go over some insider information on Saturday rally then we’ll go out for beers.”

¹⁶ Richard Spencer is a prominent White Nationalist who was scheduled to be one of the speakers at UTR in Charlottesville on August 12, 2017.

¹⁷ Eli is Eli Moseley, another organizer for the UTR in Charlottesville on August 12, 2017.

MadDimension 2017-07-05 00:06:09 [Charlottesville 2.0 #friday-night] ⚡

I think what we'll do is meet up in Darden-Towe Park like last time and go over some insider information on the Saturday rally then we'll go out for beers.

52. On July 21, 2017, in the #general_1 channel on Discord, KESSLER posted the following, “@everyone There will be a voice call at 5pm EST on Saturday for all security volunteers.”

MadDimension 2017-07-21 00:32:56 ⚡

@everyone There will be a voice call at 5pm EST on Saturday for all security volunteers.

53. On July 6, 2017, in the #alex_jones_chat channel on Discord, KESSLER posted, “The security room is private. It’s not available to everyone.” A survey of the available servers and channels in the Unicorn Riot Discord Archives was unable to find the security channel to which KESSLER may have been referring.

MadDimension 2017-07-06 16:57:33 [Charlottesville 2.0 #alex_jones_chat] ⚡

The security room is private. It's not available to everyone.

54. On July 11, 2017, in the #general_1 channel on Discord, KESSLER posted, “@everyone There was a screenshot of a private conversation regarding negotiations with Gavin McInnes to attend this event posted in the Discord. It was leaked from this server and ended up on IGD¹⁸. This COMPLETELY fucking unacceptable (sic). I don’t care how you feel about the PROUD Boys or any other group you disagree with politically. Leaking secrets is unacceptable.”

MadDimension 2017-07-11 02:19:48 [Charlottesville 2.0 #general_1] ⚡

@everyone There was a screenshot of a private conversation regarding negotiations with Gavin McInnes to attend this event posted in the Discord. It was leaked from this server and ended up on IGD. This COMPLETELY fucking unacceptable. I don't care how you feel about the Proud Boys or any other group you disagree with politically. Leaking secrets is unacceptable.

55. On August 8, 2017, in the #general_1 Discord channel, KESSLER posts a caution about posting information about Discord or housing accommodations in public forum and included

¹⁸ IGD is a reference to the website “It’s Going Down” which describes itself as “a digital community center for anarchist, anti-fascist, autonomous anti-capitalist and anti-colonial movements.”

a screenshot which refers to a “special server” on Discord just for people staying in specific housing accommodations.

MadDimension 2017-08-08 04:20:10 [Charlottesville 2.0 #general_1] ⚡
For future reference be careful posting about the Discord server or housing accomodations on public comment sections
WOW WOW WOW WOW
The South Carolina and North Carolina SBCs will see you there DS staff!!!!!!
DS Staff, Please feel welcome to join us at the after-after-party at the “Redoubt” All Stormers who are going to Charlottesville should feel welcome. We offer the following to fellow Stormers:
1) The most after-after-parties on both Fri and Sat nights
2) Lodging. We've taken over all of the large AirBnBs in a particular area. Many of our houses are within walking distance. We still have spaces available and more unclaimed houses near us. So far we're close to filling our 7th house. We have 80-90 people, and are a mix of various AltRight groups.
3) Transportation. We've set up “Nazis Uber” and the “Hate Van” to help in moving our people around as needed, esp. between our off-site locations and Charlottesville.
4) Discord. We have a special server just for those of us who are staying in the “Redoubt” houses.
Feel free to contact me for details. Of course, don't even bother if it's not obvious online that you're one of us. We are also coordinating via the C'ville 2.0 server.
Lee Rogers's article has prompted me to design a **lapel pin for Stormers** at events like this. The South Carolina SBC has a distinguishing fash look that will be unveiled in Charlottesville. All Stormers need something to signal to each other as well. Tomorrow I will set it up so that a lapel pin for us can be ordered online. It will be fashioned in the SS font that you see in my avatar, except instead of SS, it will be **SBC**. Who wants one?!?!

DISCORD

56. The Affiant knows, through training and experience, review of similar applications, and a conversation with legal counsel for Discord, that Discord provides a variety of online services, including games, social online and mobile chat platforms.

57. Discord owns and operates a free-access social networking and gaming website and application of the same name that can be accessed at <http://discordapp.com>. Discord allows its users to create their own profile pages, which can include lists of their personal interests, photos of themselves and friends, and links to pages within and outside the Discord environment. Discord also permits users to send and receive private messages, including voice over internet protocol (“IP”) messages (the functional equivalent of telephone calls and voicemails) with other Discord users, and to restrict the disclosure of certain information (blogs, profile information) exclusively

to the Discord “friends” of their choosing.

58. Discord asks users to provide basic identity and contact information to Discord, either during the registration process or thereafter. This information may include the user’s full name, user ID, e-mail addresses, physical address (including city, state, and zip code), date of birth, gender, hometown, occupation, and other personal identifiers. For each user, Discord also retains information about the date and time at which the user’s profile was created, the date and time at which the account was created, and the INTERNET Protocol (“IP”) address at the time of sign-up. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access a given Discord account.

59. Discord also keeps IP logs for each user. These logs contain information about the user’s log-ins to Discord, including, for each access, the IP address assigned to the user and the date stamp at the time the user accessed his or her profile. Discord retains IP log information about each account for at least one year.

60. Discord users can exchange private mail messages with other users via Discord. A given private message typically includes the Discord ID of the sender and the recipient of the message, a subject line, the actual content of the message, and a date stamp reflecting when the message was sent. Private messages are sent to the recipient’s Discord inbox and remain available there until the recipient removes them.

61. Discord users can add a variety of information to their profiles, including photographs, videos, music and other audio files, lists of personal interests and preferences, journals or web logs (“blogs”), bulletins, new feeds, links to other locations on the Internet, and “About Me” entries, which typically contain personal information about the user. Discord users can also post comments on the Discord profiles of other users or on their own profiles. Discord

allows users to edit or delete comments on their own profile pages, and users can also adjust their profile settings to allow them to pre-approve comments on their own profile pages.

62. A Discord user can link his profile page to the profile of another Discord user by becoming “friends” with that user on Discord. Each user profile page includes a list of that user’s “friends,” along with links to the friends’ profiles pages. Discord users can adjust the privacy settings for their profile so that their profile information is visible only to their Discord “friends,” rather than to the public (which is the default setting).

63. A Discord user can set up a “server” which is an “area” in the Discord system set up by the user for a specific event or group. Within the server, users can establish “channels” which can be topic based or otherwise organized by the user. The user can control who has access to specific channels and servers.

64. For a given user, Discord retains the basic identity information entered by the user, all data displayed on the user’s profile, and all stored files (such as images and videos) contained in the user’s account as long as the user has not edited the data or removed the files from the profile. When a given Discord account is deleted, Discord retains certain information relating to that account for at least one year, including user identity information and IP logs.

65. In some cases, Discord users may communicate directly with Discord about issues relating to their account such as technical problems or complaints. Social networking providers like Discord typically retain records about such communications, including records of contacts between the user and the provider’s support services, as well as records of any actions taken by the provider or user as a result of the communications.

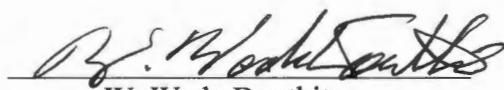
66. On April 9, 2018, during a teleconference call with Sean Li, the General Counsel for Discord, Discord indicated that they had retained a “snapshot” of the entire Discord system

from August 14, 2017. Discord's standard policy when a user deletes their account or specific information from their account is to immediately remove the information from its possession. However, the company has several backups of the system running in order to provide redundancies in the event of a data loss. Due to an internal oversight, some information that is deleted by users was retained in these backups. After the events of August 12, 2017, in Charlottesville, Virginia, Discord came to believe that there may be evidence of criminal activity stored on these servers. As a result they created a snapshot of the Discord servers as of August 14, 2017, which may include information which was subsequently deleted by users. Additionally, Mr. Li confirmed that the material on Unicorn Riot was authentic and preserved some of what had been believed to have been previously deleted.

CONCLUSION

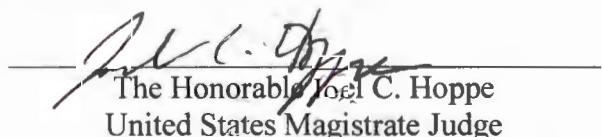
67. While the information in this Affidavit contains information which may already be construed to be incriminating, it is derived from a leak to a potentially biased press agency. The information presented on the Unicorn Riot website has been redacted for reasons determined internally to Unicorn Riot. As such the best available evidence would be retained on the systems of Discord. Additionally, there is probable cause to believe that there are conversations, servers, and channels which were not disclosed in the leak to Unicorn Riot.

68. Based on the forgoing, I respectfully request that the Court issue the proposed search warrant. Because the warrant will be served on Discord who will then compile the requested records at a time convenient to it, reasonable cause exists to permit the execution of the requested warrant at any time in the day or night.



W. Wade Douthit
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me this 21st of December 2018.



The Honorable Joel C. Hoppe
United States Magistrate Judge